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June 3, 2025

VIA ECF

Honorable Jennifer L. Rochon U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

Re: **El Olivo Mexican Restaurant, LLC v. Mt. Hawley Insurance
Company**
Civil Action No. 1:24-cv-09126

Dear Judge Rochon:

The undersigned is counsel for Defendant Mt. Hawley Insurance Company (“Mt. Hawley”) in the above-referenced matter. We write jointly with counsel for Plaintiff El Olivo Mexican Restaurant, LLC (“El Olivo”) to request a stay of discovery proceedings.

On May 30, 2025, Mt. Hawley filed its motion for judgment on the pleadings in this case, advancing the argument that El Olivo’s complaint must be dismissed as El Olivo failed to comply with the prompt notice requirement of the Mt. Hawley policy, and further failed to commence this action within the two-year suit limitations period of the Mt. Hawley policy. *See* ECF Doc. Nos. 32-33. While El Olivo disagrees with Mt. Hawley’s position and intends to oppose its motion, if the Court were to grant Mt. Hawley’s motion it would resolve this matter entirely. As a result, the parties are jointly requesting that Your Honor stay discovery in this matter pending the resolution of Mt. Hawley’s motion. The parties further request that if El Olivo’s claims survive Mt. Hawley’s motion, that the Court enter a revised case management plan and discovery schedule to address discovery relating to the same.

We thank the Court for its attention to this matter.

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Respectfully submitted,

CHARTWELL LAW

By: Andrew Furman
Andrew Furman, Esq.

cc. All Counsel via ECF

The request for a stay of discovery proceedings pending a final determination on Defendant's motion for judgment on the pleadings is GRANTED. If the motion is denied, the parties shall file a revised case management plan and discovery schedule within five days of the Court's decision.

SO ORDERED.

Dated: June 4, 2025

New York, New York

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge